19 pv

MONTANA LEGISLATIVE HISTORY

Chapter 495 1995

Bill H _____ S 350 Original bill & history ___C

H. Committee on Business & Labor			S. Committee on Judiciary		
Hearing Date(s)	Mar 14	✓ C	Hearing Date(s)	Feb 15	✓ C
	Mar 15	✓ C			C
		C			C
		C			C
Date Out	Mar 16	✓ C		Feb 15	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

SB 350 INTRODUCED BY VAN VALKENBURG

REQUIRE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES TO NOTIFY AN EMPLOYER IF A PROBATIONER OR PAROLEE HAS BEEN CONVICTED OF AN OFFENSE INVOLVING THEFT FROM AN EMPLOYER

2/10	INTRODUCED		
2/10	FIRST READING		
2/10	REFERRED TO JUDICIARY		
2/15	HEARING		
2/15	COMMITTEE REPORT—BILL PASSED		
2/16	2ND READING PASSED	48	2
2/17	3RD READING PASSED	45	5
	TRANSMITTED TO HOUSE		
2/20	FIRST READING		
2/20	REFERRED TO BUSINESS & LABOR		
3/14	HEARING		
3/16	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
3/28	2ND READING CONCUR MOTION FAILED	49	50
3/28	MOTION FAILED TO SEGREGATE FROM COMMITTEE OF THE WHOLE REPORT	35	59
3/29	RECONSIDERED PREVIOUS ACTION	82	18
3/30	2ND READING CONCURRED AS AMENDED	77	21
3/30	3RD READING CONCURRED	69	17
	RETURNED TO SENATE WITH AMENDMENTS		
	NOTE: THE NET EFFECT OF THE HOUSE AMENDMENTS RESTORED THE BILL TO THE VERSION TRANSMITTED BY THE SENATE TO THE HOUSE. SINCE THIS VERSION OF THE BILL WAS APPROVED BY BOTH HOUSES ON 3RD READING, NO FURTHER ACTION WAS REQUIRED BY THE SENATE.		
4/08	SIGNED BY PRESIDENT		
4/10	SIGNED BY SPEAKER		
4/10	TRANSMITTED TO GOVERNOR		
4/14	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 499		
	EFFECTIVE DATE: 10/01/95		

SB 351 INTRODUCED BY STANG, ET AL.

CREATE AN EDUCATIONAL TECHNOLOGY TRUST FUND TO PROVIDE GRANTS TO PUBLIC SCHOOL DISTRICTS FOR USE OF EDUCATIONAL TECHNOLOGY IN THE CLASSROOM

BY REQUEST OF OFFICE OF PUBLIC INSTRUCTION

2/10	INTRODUCED
2/10	FIRST READING
2/10	REFERRED TO EDUCATION & CULTURAL RESOURCES
2/11	FISCAL NOTE REQUESTED
2/15	HEARING
2/16	FISCAL NOTE RECEIVED
2/16	FISCAL NOTE PRINTED
3/29	MISSED TRANSMITTAL DEADLINE FOR 71ST DAY
	DIED IN COMMITTEE

SB 352 INTRODUCED BY GROSFIELD, ET AL.

PROVIDE A LIMITATION ON CRIMINAL LIABILITY OF A LANDOWNER OR AGENT WHO TAKES A PUBLICLY OWNED WILD BUFFALO OR BISON, SUSPECTED OF CARRYING DISEASE, THAT IS PRESENT ON LANDOWNER'S PRIVATE PROPERTY OR THREATENING LANDOWNER'S LIVESTOCK UNDER CERTAIN CONDITIONS

2/10	INTRODUCED

SENATE BILL NO. 350

INTRODUCED BY Van Valkenburg

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES TO NOTIFY AN EMPLOYER IF A PROBATIONER OR PAROLEE HAS BEEN CONVICTED OF AN OFFENSE INVOLVING THEFT FROM AN EMPLOYER; AND AMENDING SECTION 46-23-1004, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-23-1004, MCA, is amended to read:

"**46-23-1004. Duties of ~~the~~ department.** The department is responsible for any investigation and supervision requested by the board or the courts. The department shall:

(1) divide the state into districts and assign probation and parole officers to serve in these districts and courts;

(2) obtain any necessary office quarters for the staff in each district;

(3) assign the secretarial, bookkeeping, and accounting work to the clerical employees, including receipt and disbursement of money;

(4) direct the work of the probation and parole officers and other employees;

(5) formulate methods of investigation, supervision, recordkeeping, and reports;

(6) conduct training courses for the staff;

(7) cooperate with all agencies, public and private, ~~which~~ that are concerned with the treatment or welfare of persons on probation or parole;

(8) administer the interstate compact for the supervision of parolees and probationers; and

(9) notify the employer of a probationer or parolee if the probationer or parolee has been convicted of an offense involving theft from an employer."

-END-

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **BRUCE D. CRIPPEN CHAIRMAN**, on February 15, 1995, at 8:00 A.M.

ROLL CALL

Members Present:
Sen. Bruce D. Crippen, Chairman (R)
Sen. Al Bishop, Vice Chairman (R)
Sen. Larry L. Baer (R)
Sen. Sharon Estrada (R)
Sen. Lorents Grosfield (R)
Sen. Ric Holden (R)
Sen. Reiny Jabs (R)
Sen. Sue Bartlett (D)
Sen. Steve Doherty (D)
Sen. Mike Halligan (D)
Sen. Linda J. Nelson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Valencia Lane, Legislative Council
Judy Feland, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing: SB 237, SB 316, SB 333, SB 350
Executive Action: SB 350, SB 237, SB 316, SB 333, SJR 7, SB 206

HEARING ON SB 350

Opening Statement by Sponsor:

SENATOR FRED VAN VALKENBURG, Senate District 32, Missoula, sponsored SB 350. He said the bill would allow the Department of Corrections to tell a new employer that a person (who is on parole) has a history of stealing from employers. He said it was a logical idea that employers should know about the prior thefts, but the Department of Corrections and Human Services parole staff is prohibited from providing that information to employers because it would violate the privacy of the probationer or

parolee. The sponsor said they need to be more concerned about the victims out there who are good enough to employ people who have already been in trouble with the law before and to try to protect them. He said he personally knew of three or four cases in which this has happened since he went to work in a county attorney's office. In one particular case, an employer in Missoula County lost over $50,000 as a result of theft by a person already convicted of theft from a previous employer. He urged passage of the bill.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

SENATOR SHARON ESTRADA asked the sponsor if there was a fiscal note.

SENATOR VAN VALKENBURG said there was not. He said the only cost involved would be a phone call to the employer.

Closing by Sponsor:

SENATOR VAN VALKENBURG closed on SB 350 without further comment.

HEARING ON SB 237, SB 316 and SB 333

Opening Statement by Sponsor:

SENATOR AL BISHOP, Senate District 9, Billings, sponsored SB 237. He said the bill would make it a misdemeanor to have an open container containing an alcoholic beverage in a motor vehicle on any ways of the state open to the public outside of cities and towns. He said it was felt that cities and municipalities would deal with the issue on their own, as many already do. Excepted would be public conveyances that have been chartered for group use, the living quarters of a motor home, recreational vehicle or camper, or a paying passenger in a for-hire vehicle licensed under city, county, or state law.

Proponents' Testimony:

Attorney General Joe Mazurek, said that he and others at the hearing were going to testify on a package of bills, SB 237, SB 316 and SB 333. They are a part of the recommendation of a Task Force appointed by **Governor Racicot** and himself last June.

if a teenager violated the rule?

Colonel Craig Reap said it would not apply.

SENATOR DOHERTY asked for a definition of motor vehicle. Also, he wondered if a boat, tractor or snowmobile would be covered.

Mr. Funk said the definition was broad, but would not include tractors, snowmobiles or boats.

SENATOR DOHERTY asked about the public safety issue and wondered why they did not deal with all the high-powered machines.

Mr. Funk agreed that perhaps it should be done, but was certainly not written in this package as it was.

Closing by Sponsor:

SENATOR BISHOP closed on Senate Bills 237, 316 and 333 without further comment.

EXECUTIVE ACTION ON SB 350

Motion: SENATOR GROSFIELD MOVED THAT SB 350 DO PASS.

Discussion: **CHAIRMAN CRIPPEN** was concerned that the person would never get another job. He said he would probably vote for the bill anyway.

SENATOR SUE BARTLETT saw some irony in the bill. She said a bill in the last session regarding stalking, **SENATOR VAN VALKENBURG** opposed that because of increased workload and potential liability. What would happen if the department slipped up and failed to notify an employer?

Vote: The **MOTION CARRIED** on an oral vote, with **SENATOR BARTLETT** voting, "no."

EXECUTIVE ACTION ON SB 237

Motion: SENATOR BISHOP MOVED THAT SB 237 DO PASS.

Discussion: **SENATOR NELSON** said she was concerned about hunters. She had some sympathy with people not being able to have a drink when they are out in the country. She also expressed some concern over a football game, perhaps people would want a little schnapps and hot chocolate. The bill would require the people to sit outside. She suggested a change to "moving" vehicle.

SENATOR RIC HOLDEN said the countryside may become a dump ground for the empties people will feel forced to throw out. He said the bill would take from the idea of a responsible designated

SENATE STANDING COMMITTEE REPORT

February 15, 1995

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration SB 350 (first reading copy -- white), respectfully report that SB 350 do pass.

Signed: Bruce D. Crippen
Senator Bruce Crippen, Chair

Amd. Coord.
Sec. of Senate

391253SC.SRF

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & LABOR

Call to Order: By **CHAIRMAN BRUCE T. SIMON**, on March 14, 1995, at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Bruce T. Simon, Chairman (R)
Rep. Norm Mills, Vice Chairman (Majority) (R)
Rep. Robert J. "Bob" Pavlovich, Vice Chairman (Minority) (D)
Rep. Vicki Cocchiarella (D)
Rep. Charles R. Devaney (R)
Rep. Jon Ellingson (D)
Rep. Alvin A. Ellis, Jr. (R)
Rep. David Ewer (D)
Rep. Rose Forbes (R)
Rep. Jack R. Herron (R)
Rep. Bob Keenan (R)
Rep. Don Larson (D)
Rep. Rod Marshall (R)
Rep. Jeanette S. McKee (R)
Rep. Karl Ohs (R)
Rep. Paul Sliter (R)
Rep. Carley Tuss (D)
Rep. Joe Barnett (R)

Members Excused: None.

Members Absent: None.

Staff Present: Stephen Maly, Legislative Council
Alberta Strachan, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing: SB 246, SB 311, SB 350, SB 298,
Executive Action: SB 246, SB 298, SB 335, SB 224, SB 264

HEARING ON SB 246

Opening Statement by Sponsor:

SEN. JEFF WELDON, SD 35, Lake County, said this bill is an act providing for the issuance of an administrative warrant directing the pawnbroker to hold property for 30 days; providing for a

AMENDED. Motion carried 18-0.

HEARING ON SB 350

Opening Statement by Sponsor:

REP. FRED R. VAN VALKENBURG, SD 32, Missoula County, said this bill is an act requiring the Department of Corrections and Human Services to notify an employer if a probationer or parolee has been convicted of an offense involving theft from an employer.

Proponents' Testimony:

Jeff Langin said he is a businessman from Missoula. He reiterated an incidence of embezzlement from the company which he owned. He then stated he fully supported this bill.

TAPE 1, SIDE 2

Mike Ferriter, Chief, Community Corrections Bureau, said he supports this bill. The admission statement of the Bureau calls for officers to aid in public safety. This bill certainly falls within the goal to prevent new crimes and prevent new victims. Presently, officers become somewhat confused on issues relative to informing employers of an offender's background. Confidentiality relative to an employer's rights to know versus the employer's need to know, places an officer in a dilemma. This bill will simplify this process while reducing the probation and parole bureau's exposure to litigation via a breach of confidentiality.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

REP. ELLIS asked if this bill is too limited. He questioned if the bill should include other employees being protected against sexual assault. **Mr. Ferriter** reiterated his testimony regarding the right to know versus need to know and this is something a officer must decide. Information about sex offenders is an obvious situation which an employer must know about.

CHAIRMAN SIMON asked if forgery were in the theft statute. **SEN. VAN VALKENBURG** said there is a general section in the criminal law. Theft is a very specific offense and forgery is another specific offense and both of them fall within that general area.

Closing by Sponsor:

The sponsor closed.

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Business & Labor DATE 3-14-95

BILL NO. SB 350 SPONSOR(S)

PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	Support	Oppose
JEFFREY M. LANGAN	NETWORKS INC. MISSOULA MT.	X	
Mike Ferriter	DCHS	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & LABOR

Call to Order: By **CHAIRMAN BRUCE T. SIMON**, on March 15, 1995, at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Bruce T. Simon, Chairman (R)
Rep. Norm Mills, Vice Chairman (Majority) (R)
Rep. Robert J. "Bob" Pavlovich, Vice Chairman (Minority) (D)
Rep. Vicki Cocchiarella (D)
Rep. Charles R. Devaney (R)
Rep. Jon Ellingson (D)
Rep. Alvin A. Ellis, Jr. (R)
Rep. David Ewer (D)
Rep. Rose Forbes (R)
Rep. Jack R. Herron (R)
Rep. Bob Keenan (R)
Rep. Don Larson (D)
Rep. Rod Marshall (R)
Rep. Jeanette S. McKee (R)
Rep. Karl Ohs (R)
Rep. Paul Sliter (R)
Rep. Carley Tuss (D)
Rep. Joe Bárnett (R)

Members Excused: None.

Members Absent: None.

Staff Present: Stephen Maly, Legislative Council
Alberta Strachan, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 307, SB 354, SB 408
Executive Action: SB 307, SB 408, SB 350, SB 187

HEARING ON SB 307

Opening Statement by Sponsor:

SEN. ETHEL M. HARDING, SD 37, Lake County, said this bill is an act clarifying the definition of acupuncture and prohibiting unlicensed persons from purporting to practice acupuncture.

Discussion:

REP. EWER stated he opposed the amendment.

REP. PAVLOVICH stated he favored the amendment.

Vote: **Motion carried 16-2 with REPS. ELLINGSON and EWER voting no.**

EXECUTIVE ACTION ON SB 350

Motion: **REP. ELLIS MOVED SB 350 BE CONCURRED IN. REP. ELLIS MOVED THE VAN VALKENBURG AMENDMENTS.**

Motion/Vote: **REP. ELLIS MOVED HIS SUBSTITUTE AMENDMENT.**

Discussion:

CHAIRMAN SIMON said the substance of the amendment is understood but may be necessary for form purposes to be reviewed by the Legislative Council.

REP. SLITER asked if the word "theft" should be removed.

Steven Maly said it should.

REP. ROD MARSHALL said he preferred that the parole officer mandatorily inform.

REP. ELLINGSON said he supported the term "mandatory notification" under certain circumstances. He said he would not support mandatory notification to any employer for any offense. It is difficult to handle by way of amendment.

REP. ROD MARSHALL said people who interview potential workers should know no justification can be made.

REP. MILLS said he had hired people out of prison but he was happy to know what their offense was so the area which they worked in was restricted. There is a very great danger of putting offenders in a place where they can offend again. It is time there was a way to inform employers of a applicants background for employment. The public is protected from those people with this bill.

REP. OHS said he agreed. If someone knows they are hiring somebody on parole, the employer must be informed.

CHAIRMAN SIMON suggested the researcher read the amendment again.

Steven Maly said the department shall notify the employer of a probationer or parolee if the probationer or parolee has been

convicted of a offense which would potentially be harmful to the safety or well-being of an employer, a fellow employee or a customer of an employer. The department would be required to notify in every case because if it were ever contested, these words "potential harm" are so wide open the net effect would be a mandatory reporting.

CHAIRMAN SIMON said notification would be required if there is a potential for harm because of the conviction but it would not require notification in all cases.

REP. SLITER said he did not want to give this bill "the kiss of death" but if it is amended, it should be sent to the Judiciary Committee for further consultation.

REP. MARSHALL said the parole officer can't possibly have a scope of knowledge wide enough to entertain all the businesses that these people can come to. The parole officer would not have the experience to know what is inside all companies well enough to know if it is a hazard or not.

CHAIRMAN SIMON said he was taking the prerogative of the chair to divide the question because it appears that most of the members of the committee would support the amendment without the word "may" and this will become a separate amendment.

REP. LARSON said the intent of the bill was to notify the employer about a parolee. What the employer does with that information is to protect the fellow employees or customer. The employer will do what is necessary to protect his customers.

Vote: A roll call vote was taken on a do adopt motion covering the first half of the Ellis amendment. The motion carried 11-7 with REPS. COCCHIARELLA, ELLINGSON, EWER, LARSON, OHS, SLITER and TUSS voting no.

Vote: Motion carried to adopt the second half of the Ellis amendment 13-5 with REPS. TUSS, EWER, COCCHIARELLA, MCKEE and ELLINGSON voting no.

Discussion:

REP. SLITER explained the Sliter amendment.

REP. ELLIS said this amendment was not necessary. Once it is known a person is a parolee, that parolee will be asked the question and the outcome of his employment will then be determined.

REP. TUSS said this is public record.

CHAIRMAN SIMON requested that the committee be clear that the amendment previously adopted does not just notify the person is

on parole and convicted of an offense which might cause potential harm.

Motion/Vote: REP. ELLIS MOVED SB 350 BE CONCURRED IN AS AMENDED. A roll call vote carried 10-8 with REPS. COCCHIARELLA, ELLINGSON, EWER, HERRON, LARSON, MCKEE, OHS AND TUSS voting no.

EXECUTIVE ACTION ON SB 187

Motion: REP. MCKEE MOVED SB 187 BE CONCURRED IN.

Motion: REP. PAVLOVICH MADE A SUBSTITUTE MOTION TO TABLE SB 187.

Discussion:

REP. ELLIS said discussion of the bill should be in order before tabling of a bill.

Motion: REP. PAVLOVICH MOVED TO WITHDRAW HIS MOTION TO TABLE SB 187.

Discussion:

REP. SLITER said he wanted to know what the amendments were so he could vote on the bill.

REP. ELLIS said the biggest argument for this bill is that 40% of all the audits are inconclusive and do not have enough information. There is a possibility that the machines have been doctored and this is no way to run a business that handles this much money. He said most of the opponents to this legislation are doing that.

REP. MCKEE said it is important to know what this bill is really about.

REP. COCCHIARELLA said this is general fund money. She questioned the $10 million fee for initiating this system.

REP. PAVLOVICH said in all of his years in the business he has never had a report returned to his establishment because of an error.

REP. EWER questioned the fairness of the payouts in the machines.

Vote: A roll call vote was taken to Table SB 187 which failed 9-9 with REPS. SIMON, MILLS, BARNETT, ELLINGSON, ELLIS, EWER, HERRON, MARSHALL and MCKEE voting no.

Motion/Vote: REP. MILLS MOVED THE TECHNICAL AMENDMENTS. Motion carried 18-0.

HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Mr. Speaker: We, the committee on **Business and Labor** report that **Senate Bill 350** (third reading copy -- blue) **be concurred in as amended**.

Signed: *Bruce Simon, Chair*

Carried by: Rep. Ellis

And, that such amendments read:

1. Title, lines 5 and 6.
Strike: "AN OFFENSE INVOLVING THEFT FROM AN EMPLOYER"
Insert: "A POTENTIALLY HARMFUL OFFENSE"

2. Page 1, line 25.
Strike: "involving theft from"
Insert: "that would potentially be harmful to the safety or well-being of"
Following: "employer"
Insert: ", a fellow employee, or a customer of the employer"

-END-

SB350

Committee Vote:
Yes 10, No 8.

HOUSE
611117SC.Hbk

HOUSE OF REPRESENTATIVES

BUSINESS AND LABOR COMMITTEE

ROLL CALL VOTE

DATE 3-15-95 BILL NO. SB 350 NUMBER _____

MOTION: Be concur as amended

NAME	AYE	NO
Rep. Bruce Simon, Chairman	✓	
Rep. Norm Mills, Vice Chair, Maj.	✓	
Rep. Bob Pavlovich, Vice Chair, Min.	✓	
Rep. Joe Barnett	✓	
Rep. Vicki Cocchiarella		✓
Rep. Charles Devaney	✓	
Rep. Jon Ellingson		✓
Rep. Alvin Ellis, Jr.	✓	
Rep. David Ewer		✓
Rep. Rose Forbes	✓	
Rep. Jack Herron		✓
Rep. Bob Keenan	✓	
Rep. Don Larson		✓
Rep. Rod Marshall	✓	
Rep. Jeanette McKee		✓
Rep. Karl Ohs		✓
Rep. Paul Sliter	✓	
Rep. Carley Tuss		✓

HOUSE OF REPRESENTATIVES

BUSINESS AND LABOR COMMITTEE

ROLL CALL VOTE

DATE 3-15-95 BILL NO. SB 350 NUMBER

MOTION: Ellis amendment without "may" amendment

NAME	AYE	NO
Rep. Bruce Simon, Chairman	✓	
Rep. Norm Mills, Vice Chair, Maj.	✓	
Rep. Bob Pavlovich, Vice Chair, Min.	✓	
Rep. Joe Barnett	✓	
Rep. Vicki Cocchiarella		✓
Rep. Charles Devaney	✓	
Rep. Jon Ellingson		✓
Rep. Alvin Ellis, Jr.	✓	
Rep. David Ewer		✓
Rep. Rose Forbes	✓	
Rep. Jack Herron	✓	
Rep. Bob Keenan	✓	
Rep. Don Larson		✓
Rep. Rod Marshall	✓	
Rep. Jeanette McKee		✓
Rep. Karl Ohs		✓
Rep. Paul Sliter	✓	
Rep. Carley Tuss		✓

HOUSE COMMITTEE OF THE WHOLE AMENDMENT

SB 350
Representative Bohlinger

March 30, 1995 9:09 am

Mr. Chairman: I move to amend **SB 350** (third reading copy -- blue).

Signed: _____
Representative Bohlinger

And, that such amendments to SB 350 read as follows:

AMEND HOUSE COMMITTEE ON **BUSINESS AND LABOR** REPORT DATED MARCH 16, 1995, ON SENATE BILL 350 AS FOLLOWS:

Strip amendments 1 and 2 in their entirety.

-END-

ADOPT 52-4

REJECT

SB 350

HOUSE

SENATE BILL NO. 350

INTRODUCED BY VAN VALKENBURG

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES TO NOTIFY AN EMPLOYER IF A PROBATIONER OR PAROLEE HAS BEEN CONVICTED OF AN OFFENSE INVOLVING THEFT FROM AN EMPLOYER; AND AMENDING SECTION 46-23-1004, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-23-1004, MCA, is amended to read:

"**46-23-1004. Duties of ~~the~~ department.** The department is responsible for any investigation and supervision requested by the board or the courts. The department shall:

(1) divide the state into districts and assign probation and parole officers to serve in these districts and courts;

(2) obtain any necessary office quarters for the staff in each district;

(3) assign the secretarial, bookkeeping, and accounting work to the clerical employees, including receipt and disbursement of money;

(4) direct the work of the probation and parole officers and other employees;

(5) formulate methods of investigation, supervision, recordkeeping, and reports;

(6) conduct training courses for the staff;

(7) cooperate with all agencies, public and private, ~~which~~ that are concerned with the treatment or welfare of persons on probation or parole;

(8) administer the interstate compact for the supervision of parolees and probationers; and

(9) notify the employer of a probationer or parolee if the probationer or parolee has been convicted of an offense involving theft from an employer."

-END-